

for reply fell on Saturday, February 23, 2002, and this paper is being filed the next business day, it is believed that no fees are required for entry of this Amendment. However, the Commissioner is hereby authorized to charge any necessary fees, or credit any overpayment in fees, to Deposit Account 50-0230.

**AMENDMENT**

It is respectfully requested that the application be amended without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows<sup>1</sup>:

**IN THE CLAIMS**

Please amend the claims, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows<sup>2</sup>:

1. (Not Further Amended) An isolated or purified nucleic acid molecule consisting of the nucleotide sequence set forth in Figure 1 (SEQ ID NO: 1).
5. (Twice Amended) ~~A primer which specifically hybridizes to the nucleic acid molecule of claim 1.~~
6. (Amended) The primer of claim 5 comprising OW-216 or OW-221 (SEQ ID NOS: 3, 6).
23. (Twice Amended) A method for obtaining an isolated nucleic acid molecule encoding *Candida albicans* Ess1 (CaEss1) comprising performing a polymerase chain reaction on a sample suspected to contain *Candida albicans* ESS1 (CaESS1) using primers which specifically hybridize thereto as claimed in claim 5.
24. (Not Amended) An isolated or purified nucleic acid molecule comprising the nucleotide sequence set forth in Figure 1 (SEQ ID NO: 1), and encoding a polypeptide having the enzymatic activity of *Candida albicans* Ess1 (CaEss1).
28. (Not Amended) An isolated nucleic acid molecule consisting of OW-216 (SEQ ID NO: 3).
29. (Not Amended) An isolated nucleic acid molecule consisting of OW-221 (SEQ ID NO: 6).

<sup>1</sup> All claims now pending by this Amendment are set forth for convenient reference by the Examiner and to assist in printing. Where no amendment is desired, such is parenthetically indicated.

32. (Amended) A method for detecting *Candida albicans* in a sample comprising detecting the presence therein of a nucleic acid molecule of claims 1, 24, 40, 44, 45, 47 or 48.

34. (Amended) A vector comprising the nucleic acid molecule of claim 1, 24, 40, 44, 45, 47 or 48.

36. (Amended) A method for preparing *Candida albicans* Ess1 (CaEss1) comprising transforming a vector to contain the isolated nucleic acid molecule of claims 1, 24, 40, 44, 45, 47 or 48 and obtaining expression thereof.

38. (Amended) The method of claim 34 wherein the vector is a yeast.

39. (Amended) A method for obtaining an isolated nucleic acid molecule encoding CaEss1 as claimed in claims 1, 24, 40, 44, 45, 47 or 48 comprising performing a polymerase chain reaction on a sample suspected to contain *Candida albicans* ESS1 (CaESS1) using primers which specifically hybridize thereto.

Please add the following claims, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents.

--40. (New) An isolated *Candida albicans* ESS1 (CaESS1) or nucleic acid molecule encoding a polypeptide having enzymatic activity of *Candida albicans* Ess1 (CaEss1) wherein said CaESS1 or said nucleic acid molecule specifically hybridizes to an isolated nucleic acid molecule of claim 1.

41. (New) An isolated *Candida albicans* ESS1 (CaESS1) or nucleic acid molecule encoding a polypeptide having the enzymatic activity of *Candida albicans* Ess1 (CaEss1) wherein said CaESS1 or said nucleic acid molecule is obtained from the method of claim 23.

42. (New) An isolated *Candida albicans* ESS1 (CaESS1) or nucleic acid molecule encoding a polypeptide having the enzymatic activity of *Candida albicans* Ess1 (CaEss1) wherein said CaESS1 or said nucleic acid molecule is obtained from the method of claim 39.

43. (New) An isolated *Candida albicans* ESS1 (CaESS1) or nucleic acid molecule encoding a polypeptide having the enzymatic activity of *Candida albicans* Ess1 (CaEss1) wherein said CaESS1 or said nucleic acid molecule is obtainable from a polymerase chain reaction with a primer of claim 5.

44. (New) An isolated *Candida albicans* ESS1 (CaESS1) or nucleic acid molecule encoding a polypeptide having the enzymatic activity of *Candida albicans* Ess1 (CaEss1)

wherein said *CaESS1* or said nucleic acid molecule is obtainable from a polymerase chain reaction with an isolated nucleic acid molecule of claim 28.

45. (New) An isolated *Candida albicans ESS1* (*CaESS1*) or nucleic acid molecule encoding a polypeptide having the enzymatic activity of *Candida albicans* Ess1 (CaEss1) wherein said *CaESS1* or said nucleic acid molecule or an isolated nucleic acid molecule is obtainable from a polymerase chain reaction with an isolated nucleic acid molecule of claim 29.

46. (New) An isolated *Candida albicans ESS1* (*CaESS1*) or nucleic acid molecule encoding a polypeptide having the enzymatic activity of *Candida albicans* Ess1 (CaEss1) wherein said *CaESS1* or said nucleic acid molecule is obtained from a polymerase chain reaction with a primer of claim 5.

47. (New) An isolated *Candida albicans ESS1* (*CaESS1*) or nucleic acid molecule encoding a polypeptide having the enzymatic activity of *Candida albicans* Ess1 (CaEss1) wherein said *CaESS1* or said nucleic acid molecule is obtained from a polymerase chain reaction with an isolated nucleic acid molecule of claim 28.

48. (New) An isolated *Candida albicans ESS1* (*CaESS1*) or nucleic acid molecule encoding a polypeptide having the enzymatic activity of *Candida albicans* Ess1 (CaEss1) wherein said *CaESS1* or said nucleic acid molecule or an isolated nucleic acid molecule is obtained from a polymerase chain reaction with an isolated nucleic acid molecule of claim 29.

49. (New) A method for detecting *Candida albicans* in a sample comprising detecting the presence therein of a nucleic acid molecule of claim 40.

50. (New) A vector comprising the nucleic acid molecule of claim 40.

51. (New) A method for preparing *Candida albicans* Ess1 (CaEss1) comprising transforming a vector to contain the isolated nucleic acid molecule of claim 40 and obtaining expression thereof.


52. (New) A method for detecting *Candida albicans* in a sample comprising detecting the presence therein of a nucleic acid molecule of claim 43.

53. (New) A vector comprising the nucleic acid molecule of claim 43.

54. (New) A method for preparing *Candida albicans* Ess1 (CaEss1) comprising transforming a vector to contain the isolated nucleic acid molecule of claim 43 and obtaining expression thereof.

55. (New) A method for detecting *Candida albicans* in a sample comprising detecting the presence therein of a nucleic acid molecule of claim 46.

56. (New) A vector comprising the nucleic acid molecule of claim 46.

 57. (New) A method for preparing *Candida albicans* Ess1 (CaEss1) comprising transforming a vector to contain the isolated nucleic acid molecule of claim 46 and obtaining expression thereof.

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Please cancel claims 3, 4, 7-19, 25, 26, 27, 30, 31, 33, 35, and 37, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents.